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| 09/649,473 | 08/28/2000 | Allen McCarty | PAR-115-C | 8419 | |
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| William M Hanlon Jr | | | EXAMINER | | |
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| Suite 624 Troy, MI 48084-3107 | | | ART UNIT | PAPER NUMBER | |
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Please find below and/or attached an Office communication concerning this application or proceeding.

| Application No. Applicant(s) MCCARTY ET AL. | · | | | | | | |
|--|---|---|---|--|--|--|--|
| Examiner | | | Application No. | Applicant(s) | | | |
| Mark S. Graham 3711 - The MAILING DATE of this communication appears on the cover sheet with the correspondence address - Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. THE MAILING DATE OF THIS COMMUNICATION. If the period for reby secified above is loss than thiny (30) days, a reby within the statisticy minimum of thiny (30) days, and it is communication. If the period for reby secified above is loss than thiny (30) days, a reby within the statisticy minimum of thiny (30) days, and it is good (50) MONTH'S from the mailing date of this communication. If the period for reby secified above is loss than thiny (30) days, a reby within the statisticy minimum of thiny (30) days, and it is good (50) MONTH'S from the mailing date of this communication, and the period for reby secified above is loss than thiny (30) days, a reby with the statisticy minimum of thiny (30) MONTH'S from the mailing date of this communication, and the reby reby received by the office lister than these months after the mailing date of this communication, even if timely fleet, may reduce any sented patients and specified above. Status Status Status Status 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1,5,6 and 8-13 is/are pending in the application. 4a) Of the above claim(s) is/are allowed. 5) Claim(s) is/are allowed. 6) Claim(s) 1,5,6 and 1,3 is/are allowed. 6) Claim(s) is/are allowed. 6) Claim(s) is/are allowed. 7) Claim(s) is/are allowed. 8) Claim(s) is side to restriction and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) field on is/are: signal side of the priority documents have been received by the Examiner. 11 proposed drawing correction filed on is/are: signal approved by t | | | 09/649,473 | MCCARTY ET AL. | | | |
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| Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ② MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Intermediate of them eanly to adultion with the communication of the communication of the communication of the reply specified above, the maining date of this communication. If the period for reply is specified above, the maining and of the communication. If the period for reply is specified above, the maining and of the communication. If the period for reply is specified above, the maining maintain period will apply and will exceed \$51.6(9) MONTHS from the maining date of this communication. If the period for reply is specified above, the maining maintain period will apply and will exceed \$51.6(9) MONTHS from the maining date of the communication. If the period for reply is specified above, the maining maintain period will exceed \$51.6(9) MONTHS from the maining date of the communication, even if timely filled, may reduce any secure of the communication of the period of this communication, even if timely filled, may reduce any secure of the communication and period them adjustment. See 37 CFR 1.704(p). Status 1)② Responsive to communication(s) filed on 21 October 2002. 2a)□ This action is FINAL. 2b)② This action is FINAL. 2b)② This action is non-final. 3]□ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Exparte Queyle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claim(s) is/are pending in the application. 4)② Claim(s) is/are allowed. 6)② Claim(s) is/are objected to. 3)□ Claim(s) is/are objected to. 3)□ Claim(s) is/are objected to. 3)□ The proposed drawing correction filed on is/are period objected to by the Examiner. 10)□ The drawing(s) filed on is/are is/are. 110□ The proposed drawings correction filed on is/are proposed drawings are required in reply to this Office action. 120□ The pothography | | 7 | | | | | |
| THE MAILING DATE OF THIS COMMUNICATION. Extentions of the may be existed under the provision of 37 CPR 1.136(a). In no event, however, may a neply be timely filed after SIX (8) MOXITIS from the making date of this communication. **Fallow or new or the state of the communication of 10 CPR 1.136(a). In no event, however, may a neply be timely filed after SIX (8) MOXITIS from the making date of this communication. **Fallow to reply within the set or extended price for craptly with the statistory price within the set of extended price of the communication. **Fallow to reply within the set or extended price for craptly with the statistory price within the set of extended price of the communication. **Fallow to reply within the set or extended price for formal matters. **Fallow to reply within the set or extended price for the communication. **Fallow to reply within the set or extended price for formal matters. **Fallow to reply within the set or extended price for the communication. **Fallow to reply within the set or extended price for formal matters, prosecution as to the merits is considered them explication is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <code>Ex parte Quayle</code> , 1935 C.D. 11, 453 O.G. 213. **Disposition of Claims** **A) © Claim(s) **J.5.6 and 8-13 is/are rejected.** **Claim(s) **J.5.6 and 8-13 is/are rejected.** **Claim(s) **J.5.6.8-13 is/are rejected.** **The claim(s) **J.5.6.8-13 is/are rejected.** **Polication Papers** **J. Claim(s) **J.5.6.8-13 is/are rejected to by the Examiner.** **Application Papers** **J. Claim(s) **J.5.6.8-13 is/are rejected to by the Examiner.** **The proposed drawing correction filed on ** | Period fo | The MAILING DATE of this communication app or Reply | ears on the cover sheet w | vith the correspondence address | | | |
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Art Unit: 3711

Claim 12 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. How can the bore contain material if it is "void" as claimed in claim 1?

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 11, 12, and 13 are rejected under 35 U.S.C. 102(b) as being anticipated by Ghezzi. In response to applicant's comments the portion of Ghezzi's tip fastening means which projects into the void space is the same structure as applicant's element 16 which projects into the void space and thus Ghezzhi meets the terms of the claims as applicant has defined them.

Claims 1, 10, 11, 12, and 13 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Seeman et al. (Seeman).

Claim 13 is rejected under 35 U.S.C. 102(b) as being clearly anticipated by Lo.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 5, 6, 8, and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ghezzi.

Regarding claim 5, cues are commonly made of wood and it would have been obvious to have made Ghezzi's of such material if such were preferred by the user.

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Concerning claims 6 and 9 note the comments in the previous action pertaining to Ghezzi and claims 6 and 9.

With regard to claim 8, the exact modulus of elasticity of the material of which Ghezzi's cue was made would have been up to the ordinarily skilled artisan depending on the performance characteristics desired in the cue.

Any inquiry concerning this communication should be directed to Mark S. Graham at

telephone number 703-308-1355.

MSG 10/28/02 Mark S. Graham Primary Examiner Art Unit 3711